

228-713

6/18/2013

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Matthew Granahan  
Nufarm Americas, Inc.  
11901 S. Austin Ave.  
Alsip, IL 60803

JUN 18 2013

Subject: Notification; Per PR-Notice 98-10  
TVC – Consumer Concentrate  
EPA Reg. No. 228-713  
Date Submitted: June 13, 2013

Dear Mr. Granahan:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated June 13, 2013 for the product referenced above. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions regarding this letter, please contact me at (703) 306-0415 or [davis.kable@epa.gov](mailto:davis.kable@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Kable Bo Davis", written over a horizontal line.

Kable Bo Davis  
Product Manager 25  
Herbicide Branch  
Registration Division (7505P)



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

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		United States <b>Environmental Protection Agency</b> Washington, DC 20460		<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
<b>Application for Pesticide - Section I</b>					
1. Company/Product Number 228-713		2. EPA Product Manager Bo Davis		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
4. Company/Product (Name) TVC- Consumer Concentrate		PM# 25			
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas Inc. 11901 S. Austin Ave. Alsip, IL 60803 <input checked="" type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____			
<b>Section - II</b>					
<input type="checkbox"/> Amendment - Explain below.		<input type="checkbox"/> Final printed labels in response to Agency letter dated _____		<div style="font-size: 24px; font-weight: bold;">NOTIFICATION</div> <div style="font-size: 24px; font-weight: bold;">JUN 18 2013</div>	
<input type="checkbox"/> Resubmission in response to Agency letter dated _____		<input type="checkbox"/> "Me Too" Application.			
<input checked="" type="checkbox"/> Notification - Explain below.		<input type="checkbox"/> Other - Explain below.			
<b>Explanation:</b> Use additional page(s) if necessary. (For section I and Section II.) Label Notification consistent and 98-10, see cover letter for detailed explanation. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make false statements to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.					
<b>Section - III</b>					
1. Material This Product Will Be Packaged In:					
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt.    No. per container	If "Yes" Package wgt    No. per container		
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 1 Qt., 1 Pt., 1 1/2, 5, 30, 55, 110, 220, 250 Gallons, Bulk		5. Location of Label Directions <input checked="" type="checkbox"/> _____	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled		<input checked="" type="checkbox"/> Other Self-Adhesive Integrated Label/Booklet			
<b>Section - IV</b>					
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Matt Granahan		Title Regulatory Manager		Telephone No. (Include Area Code) (630) 455-2948	
<b>Certification</b> I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.					6. Date Application Received (Stamp)
2. Signature 		3. Title Regulatory Manager			
4. Typed Name Matt Granahan matthew.granahan@us.nufarm.com		5. Date 06/13/2013			



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**Nufarm Americas Inc.**

11901 South Austin Avenue

Alsip, IL 60803

Telephone: (708) 377.1330 Facsimile: (708) 377.1333

www.us.nufarm.com

April 13, 2013

Via Overnight Courier

Bo Davis (PM-25)  
U. S. Environmental Protection Agency (7504P)  
Document Processing Desk (NOTIF)  
Room S4900, One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202

**Subject: TVC- Consumer Concentrate  
EPA Reg. No. 228-713  
Notification per PRN 98-10**

Dear Mr. Davis:

In addition to updating the address on the label (which is a Non-Notification) Nufarm Americas Inc. would like to change/add the following optional marketing claims to the label for TVC- Consumer Concentrate (EPA Reg. No. 228-713):

Changing "Ortho" to "[Ortho]" to make the Lawn and Garden Sprayer more generic

Adding - "[Can] [May] [also] be used in [watering] [sprinkling] cans"

Adding - "Mix with water "

Adding - "[For] use where no plant growth is desired"

Adding an Optional Use Pattern Chart, populated with use instructions already on the accepted label.

These marketing claims are not false or misleading and are found in other areas of the label.

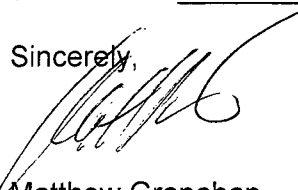
This Notification is thought to be consistent with PRN 98-10 and as such no PRIA fee has been rendered.

To process this request please find enclosed the following:

- Application for Pesticide Registration EPA Form 8570-1
- Label Certification Form
- Revised Label – Highlighted and Clean (1 Copy of each)
- Clean copy of the label on CD

If you should have any questions regarding this matter, please feel free to contact me at (708) 377-1421 or [matthew.granahan@us.nufarm.com](mailto:matthew.granahan@us.nufarm.com).

Sincerely,

  
Matthew Granahan  
Regulatory Manager  
Nufarm Americas Inc.

# TVC - Consumer Concentrate

## ACTIVE INGREDIENTS:

Glyphosate, isopropylamine salt\* ..... 5.030%

Imazapyr, isopropylamine salt\*\* ..... 0.089%

OTHER INGREDIENTS: ..... 94.881%

TOTAL: ..... 100.000%

## [ACID EQUIVALENT:

\* Glyphosate, isopropylamine salt ..... 0.3165 lbs/gal

\*\* Imazapyr, isopropylamine salt ..... 0.0062 lbs/gal ]

## KEEP OUT OF REACH OF CHILDREN CAUTION - PRECAUTION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.  
(If you do not understand the label, find someone to explain it to you in detail.)

SEE [BOOKLET] [BACK] [SIDE] [PANEL] FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300  
For Medical Emergencies Only, Call (877) 325-1840

## NOTIFICATION

JUN 18 2013

EPA REG. NO. 228-713  
EPA EST. NO.

NET CONTENTS:

000228-00713-20130613-EPA Notification

MANUFACTURED FOR  
NUFARM AMERICAS INC.  
11901 S. AUSTIN AVE  
ALSIP, IL 60803



**PRECAUTIONARY STATEMENT  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
CAUTION - PRECAUTION**

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

People and pets may enter treated areas after spray has dried.

FIRST AID	
<b>IF IN EYES</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.	

**ENVIRONMENTAL HAZARDS**

Do not apply directly to any body of water. Do not contaminate water when disposing of equipment wash waters or rinsate.

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Read the entire label before using this product. Use strictly in accordance with label precautionary statements and directions.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Do not enter or allow others to enter treated areas until sprays have dried.

Keep people and pets out of the area during application.

**WHERE TO USE**

Use on [driveways], [gravel areas], [patios], [parking areas], [sidewalks], [brick walks], [brick walkways], [brick pathways], [gravel walks], [gravel walkways], [gravel paths], [gravel pathways], [along [fences], [curbs] and] [cracks in sidewalks]].

Apply [to locations] only where no vegetation growth is desired for up to [1] [one] year.

**WHEN TO USE**

Apply [to bare ground] [or] [when weeds are present]. If weeds are taller than [6] [six] [inches] ["], mow or cut down weeds and remove debris before treatment.

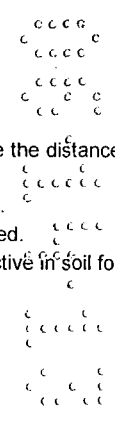
To prevent growth of weeds under asphalt driveways, play areas, tennis courts and parking areas, apply this product before laying surfacing materials.

Treat area uniformly to maximize results.

Re-treatment every 6 to 8 months may be necessary in areas of heavy rainfall.

**RESTRICTIONS**

- Apply on a sunny day with temperatures above 60°F.
- Do not apply to or allow product to drift onto desirable plants.
- Only apply to areas where no vegetation is desired for [1] [one] year.
- Avoiding product runoff to nearby desirable plants.
- Do not apply near bodies of water including, fish pools, ponds, lakes or streams.
- Do not apply over the roots systems or desirable plants. For trees and shrubs do not apply closer than twice the distance from the trunk to the drip line as roots may be within this area.
- Do not apply to slopes in landscape as movement on soil surfaces may damage desirable plants down slope.
- Do not apply next to a fence if desirable vegetation is growing on the other side, or if future planting is intended.
- Do not use before planting lawns, fruits, vegetables, flowers, or other plants because this product remains active in soil for up to one year.
- In soils with heavy clay, weed control may exceed [1] [one] year.
- Do not use on desirable [lawns] [turf]



## HOW TO APPLY

Measure area to be treated.

Calculating Total Area: LENGTH x WIDTH = TOTAL SQ. FT.

### [SPRINKLING CAN – APPLICATION DIRECTIONS

Pour [1] [one] [quart] [qt.] into a tank sprayer or sprinkling can and add [1] [one] [gallon] [gal.] of water.

Apply evenly over 75 [square feet] [sq. ft.] [ft.<sup>2</sup>].

Allow application to soak into ground, avoiding runoff to nearby desirable plants.]

### [ORTHO LAWN AND GARDEN SPRAYER – APPLICATION DIRECTIONS

Amount to Use:

Applicator	Amount Product	Amount Water	Area to be Treated
[Ortho] Lawn and Garden Sprayer – 1 gallon size	3 cups (24 fl. oz.)	3 qt.	50 sq. ft.
[Ortho] Lawn and Garden Sprayer – 2 gallon size	1 qt. (32 fl. oz.)	1 gal.	75 sq. ft.
[Ortho] Lawn and Garden Sprayer – 3 gallon size	2 qt. (64 fl. oz.)	2 gal.	150 sq. ft.

Allow application to soak into ground, avoiding runoff to nearby desirable plants.]

## IMPORTANT

Use only where no vegetation growth is desired for at least [1] [one] year. Apply to the following areas: [[driveways], [gravel areas], [patios], [parking areas], [sidewalks], [brick walks], [brick walkways], [brick pathways], [gravel walks], [gravel walkways], [gravel paths], [gravel pathways], [along [fences], [curbs] [and] [cracks in sidewalks]]. In soils with heavy clay, weed control may exceed [1] [one] year. Re-treatment every [6] [six] to [8] [eight] months may be necessary in areas of heavy rainfall.

## STORAGE AND DISPOSAL

Do not contaminate water, foodstuffs, feed or seed by storage or disposal.

**PESTICIDE STORAGE:** Store product in original container in a safe place and protect from freezing.

**PESTICIDE DISPOSAL AND CONTAINER DISPOSAL:** Nonrefillable container. Do not reuse or refill this container. **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor (including toilet) or outdoor (including sewer) drain.

## WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER, AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

## LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR RISING OUT OF THE MISUSE, OR

FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

**If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.**

RV061313

A collection of 15 small, stylized line drawings of various birds, including sparrows, finches, and songbirds, arranged in a grid-like fashion. The drawings are simple and elegant, capturing the essence of each bird's form and posture. They are arranged in a grid-like fashion, with some birds facing left and others facing right. The birds vary in size and shape, representing a diverse range of avian species.

**Optional Product Claims:**

Outdoor Use Only

Water based

Fast acting

[Kills weeds] [&amp;] [and] their germinating seeds

[Kills weeds] [&amp;] [and] [prevents [weeds] [vegetation] [plants] [and] [plant growth] up to [1] [one] year]

1 [quart] [qt.] [covers] [treats] 75 [square feet] [sq. ft.] [ft. <sup>2</sup>]1 [gallon] [gal.] [covers] [treats] 300 [square feet] [sq. ft.] [ft. <sup>2</sup>]2 [gallons] [gals.] [covers] [treats] 600 [square feet] [sq. ft.] [ft. <sup>2</sup>]

[Use on] [For [control of]] [Controls] [weeds] [vegetation] [plants] [plant growth] [in] [on]] [driveways], [gravel areas], [patios], [parking areas], [sidewalks], [brick walks], [brick walkways], [brick pathways], [gravel walks], [gravel walkways], [gravel paths], [gravel pathways], [along [fences], [curbs] [and] [cracks in sidewalks]] [for up to [1] [one] year]

[A] [2] [Two] way killer

Prevents new [weeds] [vegetation] [plants] [and] [plant growth] for up to [1] [one] year

No [weeds] [vegetation] [plants] [and] [plant growth] for up to [1] [one] year

Works [2] [Two] Ways

Kills weeds and grasses, roots [&amp;] [and] all

One application [kills] [controls] [weeds] [vegetation] [plants] [and] [plant growth] for up to [1] [one] year

[To] Keep treated ground clear of [weeds] [vegetation] [plants] [and] [plant growth] for up to [1] [one] year

[Covers] [Treats] (X) [square feet] [sq. ft.] [ft. <sup>2</sup>]

Not for use [on] [near] [around] desirable [grasses] [vegetation] [plants]

Prevents listed [weeds] [vegetation] [plants] [and] [plant growth] from [emerging] [growing] for up to [1] [one] year

Rainfast within [1] [one] [hr.] [hour] [60] [min.] [minutes]

[Controls] [Prevents] [[perennial] [annual [broadleaf weeds]] [vines] [and] [grasses] [for up to [1] [one] year]

Pre-emergent and post-emergent [weeds] [vegetation] [plants] [and] [plant growth] control

Season long control

Contains See-Spray Pattern Indicator

[Can] [May] [also] [be used in] [watering] [sprinkling] [cans]

[Mix with water]

[For use where no plant growth is desired]

[Optional Chart]

<b>Where to Use</b>	Use on driveways, gravel areas, patios, parking areas, sidewalks, brick walks, brick walkways, brick pathways, gravel walks, gravel walkways, gravel paths, gravel pathways, along fences, curbs and cracks in sidewalks. Apply to locations only where no vegetation growth is desired for up to 1 year.
<b>Kills</b>	Kills weeds and prevents plant growth for up to 1 year.
<b>When to Use</b>	Apply when weeds are present. If weeds are taller than 6 inches, mow or cut down weeds and remove debris before treatment. Do not prevent growth of weeds under asphalt driveways, play areas, tennis courts and parking areas. Apply this product before laying surfacing materials. Treat area uniformly to maximize results. Re-treatment every 6 to 8 months may be necessary in areas of heavy rainfall.
<b>How Much to Use</b>	Apply mixed concentrate evenly over 300 square foot area.
<b>Coverage</b>	300 sq. ft.

Note to Reviewer - the How Much to Use of 300 sq. ft. and the Coverage 300 sq. ft. on the above chart is to be used for the 1 Gallon container size.

**Optional Warranty and Liability Statement:**

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

### LABEL HISTORY

File Name	Revision Mark	Comments
000228-00XXX.20110513.EPA.NUP-10061	(RV051311)	New Label
000228-00713.20110927.MASTER	(RV092711)	EPA SAL
000228-00713.20130613.EPA Notification	(RV061313)	EPA Notification